

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

SMYSER KAPLAN & VESELKA, L.L.P.

Petitioner,

v.

NOBU SU a/k/a Hsin Chi Su a/k/a  
Nobuyoshi Morimoto and F5 CAPITAL,

Respondents.

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Civil Action No. 4:15-cv-03760

**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE**  
**(LETTERS ROGATORY)**

The United States District Court for the Southern District of Texas, Houston Division, presents its compliments to the Appropriate Judicial Authority of Taiwan, and requests international judicial assistance to effect service of process to be used in a civil proceeding before this Court in the above captioned matter.

**I. REQUEST**

This Court requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the Appropriate Judicial Authority of Taiwan effect Service of Process upon the below-named individual, who is of Taiwanese nationality:

Mr. Nobu Su, a/k/a Hsin Chi Su, a/k/a Nobuyoshi Morimoto  
TMT Taipei offices  
16th Floor, 200 Keelung Road, Sec. 1  
Taipei City 110, Taiwan

This Court cordially solicits the assistance of the Appropriate Judicial Authority of Taiwan to serve the following documents on Mr. Su in a manner of service consistent with the laws of Taiwan and in compliance with the provisions of Taiwan's Code of Civil Procedure: the

enclosed Civil Summons; Motion to Confirm Arbitration Award with Exhibits; and Certified Mandarin Chinese translations of these documents.

This Court further requests that after service of the enclosed documents is accomplished, proof of service be returned to this Court through diplomatic channels along with a copy of the documents which were served.

## **II. FACTS OF THE CASE**

This case involves an agreement in which Mr. Su engaged Smyser Kaplan & Veselka, L.L.P. ("Plaintiff"), a law firm based in Houston, Texas, to represent Mr. Su and his companies in certain legal matters in the United States. The engagement agreement between Mr. Su and Plaintiff contained an arbitration clause. When Mr. Su breached the terms of the engagement agreement, Plaintiff demanded arbitration and won a final arbitration award against Mr. Su. On December 31, 2015, Plaintiff filed the enclosed Motion to Confirm the Arbitration Award with this Court. Plaintiff's Motion seeks confirmation and the entry of judgment on the final arbitration award pursuant to the United States Arbitration Act, 9 U.S.C. § 9.

## **III. RECIPROCITY**

Pursuant to United States law, 28 U.S.C. § 1782, this Court is authorized to provide reciprocal assistance to the appropriate judicial authorities of Taiwan if the judicial assistance of this Court is required to effect service or obtain evidence within its jurisdictional boundaries.

## **IV. REIMBURSEMENT FOR COSTS**

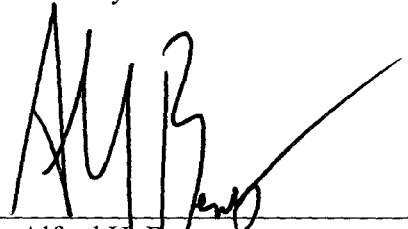
This Court will reimburse the judicial authorities of Taiwan for costs incurred in executing this Court's letter rogatory. The costs will be borne by Plaintiff's counsel.

In acknowledgment of the additional time which is needed to prepare and file an Answer to the attached documents, the time period for answering is extended to forty-five (45) days after service.

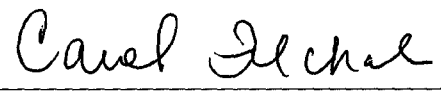
The Court extends to the Appropriate Judicial Authority of Taiwan the assurances of its highest consideration.

DATE: JAN 20 2016

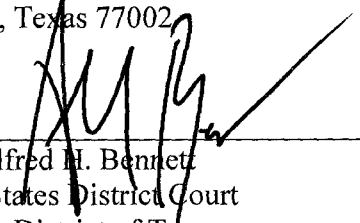
[SEAL OF COURT]

  
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Judge Alfred H. Bennett  
United States District Court  
Southern District of Texas  
Houston Division  
515 Rusk Street, Room 8613  
Houston, Texas 77002

Certification of Judge's signature:

  
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Clerk of Court  
United States District Court  
Southern District of Texas  
Houston Division  
515 Rusk Street  
Houston, Texas 77002

Certification of Clerk's signature:

  
\_\_\_\_\_  
Judge Alfred H. Bennett  
United States District Court  
Southern District of Texas  
Houston Division  
515 Rusk Street, Room 8613  
Houston, Texas 77002

Attachments:

- Civil Summons, in English and in Chinese
- Motion to Confirm Arbitration Award with Exhibits, in English and in Chinese